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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SONOS, INC.,
Plaintiff and Counterdefendant,
v.
GOOGLE LLC,
Defendant and Counterclaimant.

Case No. 3:20-cv-06754-WHA
Consolidated with
Case No. 3:21-cv-07559-WHA

**DECLARATION OF JOSEPH R.
KOLKER IN SUPPORT OF SONOS,
INC.'S OPPOSITION TO GOOGLE'S
MOTION FOR JUDGMENT AS A
MATTER OF LAW**

Judge: Hon. William Alsup
Courtroom: 12, 19th Floor
Trial Date: May 8, 2023

1 I, Joseph R. Kolker, declare as follows and would so testify under oath if called upon to
2 do so:

3 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP, counsel
4 of record to Sonos, Inc. ("Sonos") in the above-captioned matter. I am a member in good
5 standing of the New York State Bar and am admitted to practice before this Court in this matter
6 *pro hac vice*. I make this declaration based on my personal knowledge, unless otherwise noted.
7 If called, I can and will testify competently to the matters set forth herein.

8 2. I make this declaration in support of Sonos's Opposition to Google's Motion for
9 Judgment as a Matter of Law.

10 3. Attached hereto as **Exhibit 1** is a true and correct copy of a redacted excerpt from
11 the deposition transcript of Kenneth MacKay, dated May 10, 2022.

12 4. Attached hereto as **Exhibit 2** is a true and correct copy of a redacted excerpt from
13 the deposition transcript of Christopher Chan, dated November 29, 2022.

14 5. Attached hereto as **Exhibit 3** is a true and correct copy of a redacted excerpt from
15 the deposition transcript of Tomer Shekel, dated November 23, 2022.

16 6. Attached hereto as **Exhibit 4** is a true and correct copy of a redacted excerpt from
17 the deposition transcript of Tim Kowalski, dated May 8, 2023.

18 7. Attached hereto as **Exhibit 5** is a true and correct copy of a redacted excerpt from
19 the deposition transcript of Kenneth MacKay, dated January 25, 2023.

20 8. Attached hereto as **Exhibit 6** is a true and correct copy of a redacted excerpt from
21 the deposition transcript of Justin Pedro, dated July 7, 2022.

22 9. Attached hereto as **Exhibit 7** is a true and correct copy of an excerpt from PDX3,
23 James Malackowski's trial demonstratives, as presented in court on May 12, 2023 and May 16,
24 2023, with PDX3.32 removed for confidentiality reasons. PDX3.32 was previously lodged with
25 the Court at Dkt. 728.02.

1 I declare under penalty of perjury that the foregoing is true and correct to the best of my
2 knowledge. Executed this 22nd day of May, 2023 in Yonkers, New York.

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6 JOSEPH R. KOLKER
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